HEAD'S FLAG OF TRUCE,

Or a defence of the memory of the late Colonel Samuel Lount, formerly member of the Legislative Assembly for Simcoe County, from the unjust charge made by Honble. John Rolph. President of the Executive Council, to the effect that Colonel Lount's statement, given shortly before his death, relative to the flag of truce, Dec. 5, 1837, was untrue.

BY W. L. MACKENZIE.

"The very name of a Politician or statesman, is sure to cause terror and hatred; it has always connected with it the ideas of treachery, cruelty, fraud and tyranny; and those writers who have faithfully unveiled the mysteries of state freemasonry, have ever been held in general detestation for even knowing so perfectly a theory so detestable."

EDMUND BURKE'S VINDICATION OF NATURAL SOCIETY.

CHAPTER I

Travelling Charges. The Flag of Truce. Accusation of Lount Flag Bearer's Certificate.

In the fall of 1852, in the House of Assembly, at Quebec, one day, a discussion arose betwsen Dr. Rolph and Mr. Wm. Boulton, about Dr. Rolph's having charged the country $400 for moving from Toronto to Quebec, as Crown Land Commissioner, on the 22d of Sept. 1851, the day the order was given, altho' he held no office at that time, but was only gazetted 28th of October, till which time Mr. Price held the Crown Lands. Other matters were alluded to, and Mr. B. added, that

"He had been charged with a gross breach of confidence, but, he asked if a traitor, if Dr. Rolph had a right to charge any man with a breach of confidence—did he never betray confidence? He did not desire to charge the Commissioner of Crown Lands with such disgraceful conduct, but he could not help stating that, in 1837, he did hear of an honorable gentleman who had accepted the most confidential and honorable position that could be assigned to man by the hands of the Representative of his Sovereign, to bear a flag of truce to a number of deluded people; but that instead of suggesting peace, he recommended fire and slaughter to his fellow citizens, and then skulked from the country, leaving his victims to ruin and misery. Whether the individual referred to was the hon. member for Norfolk or not, he would not pretend to decide; but the name of this celebrated character was *John Rolph*, who, by the Journals of Upper Canada, appears to have been expelled the House for reason by a majority of 37 to 2."

I asked the Speaker, whether if Mr. Boulton were permitted to go over all the events of a man's life, and into a long detail of what took place in 1837, suitable answers would not be given, ill blood generated, and the public harmony indoors and out endangered, as in 1849?

Mr. Speaker considered Mr. Boulton to be arguing hypothetically, and that that gentleman might, by courtesy, be allowed to explain—he saw nothing personally offensive in Mr. B's remarks.

Dr. Rolph advised Mr. Boulton to put his charge about the flag of truce in a tangible form, as he (Dr. Rolph) "had the declaration in writing, under oath, of those who were near him the whole time, that the statements that had been made with reference to the flag of truce were untrue; and Mr. Robert Baldwin knew that everything connected with his (Dr. Rolph's) conduct, on the occasion of the flag was proper, honorable, and strictly correct."

Mr. Malloch also advised Mr. Boulton to put his charge against Dr. Rolph in the flag of truce in a tangible shape, as he (Malloch) had arrived at quite a different conclusion from that of the doctor.

It is impossible to describe the bitterness with which gentlemen spoke. I tried again to check the irregularity, remarking that if we thus accused each other of dishonor and dishonesty, would not our evil example infect society, and recall the bitterness of 1849? Mr. Langton and others took the same view, but Mr. Boulton persisted amid much confusion and noise.

Sometime thereafter, a member of the House died of cholera, and Mr. Boulton took an opportunity next day to bring the question of the flag of truce again before the Assembly. On both days, Doctor Rolph rose and positively denied the charge made against him of having accepted in good faith the office of envoy for Sir F. Head, and then, while acting in that capacity, privately advising Colonel Lount and I to attack Toronto immediately. He said he had proof on oath to the contrary; that Mr. Baldwin knew that Mr. Boulton charged him falsely; and

that he regretted that the late Mr. Lount had stated what was false.*

Except to try to restore quiet I made no remark either day. I had recorded the real facts, and wanted to go on with the business of the country.

Not so Dr. Rolph. He instantly caused to be published in the Quebec *Gazette* [Nov. 1, 1852] a long certificate or affidavit which, in seeming anticipation of a scene like this had been obtained from Hugh Carmichael, cabinet maker, Toronto, dated at "Quebec, 30th Aug., 1852," [see it in *Message*, No. 62], in which all that Mr. Lount had asserted in 1837 is declared to be untrue—and that none of the parties got off their horses, but were close together, not a yard apart, and had no private conversation whatever.

CHAPTER II.

Mackenzie's Version of the Flag. The Second Visit. The Burnings. Rolph Scolding. Stewart Scott's Message.

On seeing this statement I told Mr. Christie and Mr. White to advise Dr. Rolph that he had placed me in a position which made it my duty to defend the memory of our deceased friend Colonel Lount, and that I would do so when the House met. Dr. Rolph desired an interview previously, which I declined, and before the doors were opened, informed the House that Colonel Lount had stated the truth—that when Mr. Baldwin and Dr. Rolph came out to our camp on the Tuesday, with a flag of truce, the doctor took us aside, Mr. Baldwin sitting still upon his horse, at some distance, as much a novice concerning the law of flags of truce, I presume, as we were. That Dr. Rolph, the first time they came out, privately advised us what answer to give. I had said "independence," but the answer sent was a demand for a free convention in the place of the legislature they had packed, and that any messages might be in writing. The exact words were on Rolph's suggestion, for he was the executive or head of the movement, whom we were all bound to obey. I added, that he advised us to follow him speedily, and we would find Head paralized with fear, few followers, and the city easily to be taken; and that Lount and I set about it instantly, one division marching down Yonge Street, and the other, in which I was, passing thro' the College Avenue, both to unite near my dwelling house, opposite Osgoode Hall.

We had got near the city, when both divisions were checked by Messrs. Rolph and Baldwin, and I went to meet the messengers, who brought us Head's refusal. Dr. Rolph then advised us not to go into the city till towards dark—told us that Dr. Horne had employed a woman as a spy [De Grassi, I *think* he called her] whom we had let pass, and Dr. H. had persuaded Head to hold out, assuring him our numbers were less than was supposed. Dr. Rolph advised the burning of Jarvis and Horne's houses, as it would strike terror in the city, and induce a speedy capitulation.

The Crown Lands Commissioner denied all this; declared that unhappily he knew of the intended insurrection, but had had nothing to do with it whatever—that Mr. Lount had persisted in a false statement, which he had proved to be so by Carmichael, and could by Mr. Baldwin and others—that when I was mayor of Toronto I showed my ungovernable temper by putting a woman in the stocks—that I did more harm than good when in England, and that my friends had overpaid me for that journey, chiefly undertaken for my own personal objects—that I had never strengthened my party, redressed a wrong or benefitted the country, either in the legislature or out of it; and that a more useless or troublesome person never sat in the legislature; nor was I capable of doing any good in any position. He poured out a volume of abuse that astonished everybody, concluding by the remarks that my vile, vulgar speeches had never done him any harm, so far as his correspondence went, and that the House could not fail to perceive the envy and malice that lurked under the false and infamous charges I had made that evening.

On returning to Toronto I asked Hugh Carmichael (now at Jacques & Hay's factory here) how he could have come down to Quebec and sworn to such a story, to tarnish poor Lount's memory—on which he assured me he had not been at Quebec in twenty years, but that while he was residing 32 miles back in King, Dr. Aiken, Rolph's late partner, had come out to him with a paper cut and dry, which he said Rolph required, and that he had signed it. If Dr. Rolph has forgotten what orders he gave as to *burning* in Toronto, and where (in his two fold capacity,), I would recommend him to get a further certificate from Mr. Carmi

*I can produce hundreds to whom Colonel Lount related Dr. Rolph's conversation and conduct exactly as I have stated them, in connexion with his first journey, made in company with Mr. Baldwin. Instead of writing to Mr. Baldwin to certify that he (Rolph) had never dismounted or had any private conversation with Mr. Lount and myself, he (Rolph) sends his medical associate to King, 32 miles behind Toronto, with a certificate for Carmichael to sign, and then dates it as given at Quebec. Never till now did Dr. R. publickly deny the part he took in that matter. Why do it now? I honestly differ from Mr. Baldwin in many things, but have no idea that he would testify falsely to serve Dr. Rolph, who appears to be of my opinion in that matter.

chael, who, I dare say, has not forgotten the facts.

Mr. Carmichael informs me that on the Tuesday evening, after he had borne the flag, he was sitting in Doctor Rolph's parlor, Queen Street, when Mr. Stewart Scott [now of Edinburgh, upholsterer] then one of my apprentices, came to town with a message from Lount and I to Rolph, asking him to prepare the people for action, as we would be in that night, and that messag. he saw delivered, yet Dr. R. declares on his honor that he had nothing to do with the movement!

CHAPTER III.

Lount's Elections. Secret Accusations Against. Hincks on his Execution. Why are Two New Crown Land Agents Appointed?

Samuel Lount, was universally beloved, and he deserved to be, for in public life he was consistent, faithful, kind and unsuspicious. His conduct in the legislature, where he succeeded William Cawthra's deceased brother, John, and led the poll against the brother of Chief Justice Robinson, was that of a bold, fearless, upright reformer. At the electoral contest in 1836, the whole space round the hustings was filled by an infuriated drunken mob, armed by dirks and knives and urged to shed blood, by the conduct of the Queen's Lieutenant governor. Seeing no other mode of avoiding violence, Mr. Lount left the hustings, mob law prevailed, the country was insulted, and Sir F. Head created a baronet.

The insurrection came next year, and the farmers north of the Ridges elected Lount, the son of a jolly English loyalist, their leader or colonel; he was tried before Mr. Robinson, and offered no opposition to the plea, fearing that in the course of a protracted trial testimony might be elicited to injure others, and hopeless of justice or compassion from the infuriated men who had paid £500 for his apprehension.

To justify his execution, it was found necessary to make a number of secret charges against him, which were sent to England, and which he and his counsel were never permitted to see—altho' when statements are made prejudicial to any prisoner charged with felony, by the advocate for the Crown, it is an act of wanton cruelty to prevent that prisoner's counsel from removing, if he can, by a reply, the bias such statements may have created.

Thirty thousand Canadians vainly pleaded for a respite till the Queen's pleasure could be known upon their prayers for his life —and even in death Sir F. Head aspersed his memory, by asserting to Lord Brougham that he had "died publickly acknowledging the justice of his fate." The orangemen, not then favorable to men of Colonel Lount's politics, humanely petitioned for his life and that of his brother farmer, Wm. Matthews, who, under Brock and his successors had, with his brothers, helped to save one-seventh of Canada West to — — — — — the Canada Company — — — — — in 1812.

When the false charges against Lount and Matthews were brought to light, thro' a motion of Canada's true friend, Joseph Hume, in the House of Commons, Mr. Hincks thus noticed them in his *Examiner*, Aug. 21, 1839:

"These charges calumniating the dead are made in a secret despatch which the author never expected would see the light. *They are grossly untrue in every particular.* How horrible! how monstrous is such conduct! Lount and Mathews on being indicted for treason, admitted their guilt which was notorious, but they were never informed that there were *aggravating circumstances* attending the crime, which would be taken into consideration, and which would be stated as the *real justification* of their execution, contrary to the wishes of their indulgent and merciful Sovereign. It must be clear that on every principle of British justice, the accused should have had an opportunity of rebutting these aggravating circumstances, or else that they should *not have been taken into account.* Let Sir George Arthur be held up to the world in a true light. *He has stepped in to intercept the merciful commands of his Sovereign.*"

Mr. Lount, and his family, now scattered over this wide continent, from Tennessee to Canada, and from Oregon and California to Michigan, were among my oldest and warmest friends. Doctor Rolph, in 1837, was associated with us in an honest even if mistaken effort to remove a galling yoke from the shoulders of an oppressed colony. Lount is in his grave—Rolph, who had not before denied his own language and conduct in 1837, is now in office at Quebec; and in order that he may stand well with his new associates, wantonly asperses the fair fame of his departed benefactor; and urges others to do so, thro' his agents whom he supplies with blank certificates and plausible affidavits.

A new office, of Inspector of Crown Lands Agencies, Upper Canada, has just been created at Elora, with a salary of £400, and heavy travelling fees—and to induce the Lower Canada folks to consent to this transparent job, they are allowed just such another useless drone below at £400, for uniformity's sake. The incumbent at Elora was concerned in the insurrection, and Dr Rolph has done what he reasonably could to make up any loss he sustained, by giving him recent lucrative jobs. This scheme of the agency inspectorship is a contrivance of the doctor's, and what most displeases me about it is, that the new fledged incumbent has, as my Yonge Street friends tell me, boasted that he is Rolph's champion, and has a *brochure* ready in his patron's defence should any attempt be made to do justice to Lount's memory in the queer affair of the Yonge Street embassy. If this new burthen on the public is really the result of a corrupt bargain to slander the memory of the noble dead in order to hide the poltroonery of the ignoble living, our narrative will enable the parties to acquit themselves of their political obligations upon very short notice.

CHAPTER IV.

The Watson Certificate. Angling for a Lost Reputation. Take Your Part Openly.—Clinkumbroomer on Skulking. Instruction to W. Ketchum.

There is something very mean in that man who can urge others more spirited than himself into insurrection, upon public grounds, and then shun the responsibility by denying the truth. In the summer of 1838, Dr. Rolph asked Mr. Watson, the son of Mr. Watson, the Englishman whom Messrs. Hume and Roebuck's opportune kindness liberated in London, to make out and sign a statement to the effect that I had acted without his knowledge and consent in Dec. 1837, and that I had displayed the coward. On the 19th of Dec., 1837, the New York *Commercial* had this paragraph:

"A letter in the Rochester *Democrat*, dated Lewiston Dec. 10, states, and apparently upon the authority of Dr. Rolph himself, that he took no part in the insurrection any more than Mr. Bidwell. Thus we find that the whole outbreak was the work of Mr. Mackenzie."

Mr. Shepard, the grist-miller of York township called on me last Saturday, and reminded me that when he and the other Canadian prisoners in Fort Henry effected their escape, a number of them came up to Rochester, I being then under prosecution and Rolph residing in the same city, but professing to keep in the back ground of the revolutionary picture. That they called on Rolph in the forenoon, and that he asked them to sign a certificate which he would draw up to the effect that Mackenzie's cowardice had ruined the movement of 1837, and that his (Rolph's) conduct had been true, correct, and proper!

Mr. Shepard said they did not like it; that they spoke of calling back after dinner, when he was to have his paper written, but never went.

When Louis Bonaparte was charged with instigating the insurrection of the 13th of May, he at once wrote to the *Times*, London—

"I see with pain in your Paris correspondence that it is wished to cast upon me the responsibility of the late insurrection. I rely upon your kindness to refute, in the most distinct manner, this insinuation.—The intelligence of the bloody scenes which took place has caused me as much surprise as grief. IF I WERE THE SOUL OF A PLOT, I WOULD ALSO BE THE CHIEF ACTOR IN IT ON THE DAY OF DANGER, NOR WOULD I DENY IT AFTER A DEFEAT. Accept my assurances of the highest respect, NAPOLEON LOUIS BONAPARTE.
17 Carleton House Terrace, May 17th."

Dr. Rolph's tactics are rather different. Mr. Clinkumbroomer, my neighbor, tells me that on the Monday or Tuesday night of the insurrection a number of reformers were in the back room of the hotel now kept by Fulljames, on Yonge Street, that Rolph was with them, and advised them to go out and join or meet their brothers behind the city. Many of them promptly expressed their readiness to march instantly if he (Rolph) would accompany them—but, says Mr. Clinkumbroomer, "he sneaked out."

The late Mr. Wm. Ketchum, upon the trial of John Montgomery in 1838, swore that he (W. K) was out at the camp of the reformers, with Dr. Rolph and Mr. Baldwin, who bore Head's flag, and that Dr. Rolph took him aside, and bade him represent the force of the country people, on his return, as very strong; and that he had been told on the Monday—probably by the same friend—that Toronto would be attacked that night. Yet Dr. R. had nothing to do with the matter!!!

CHAPTER V.

The Baldwins in 1837. Price's Version of the Flag. R. Baldwin's Statement.

Hon. Dr. Baldwin himself declared that he knew about the coming insurrection—thro' Mr. Hincks. From me, neither he nor Hincks knew anything—but as Sir F. Head says he knew and assented to the movement, intending to use it in the way of a trap; as it was the common talk of the press, in the bank parlors, everywhere, I dont know what the Hon. Robert Baldwin may have known, but I rather suppose he knew nothing.—His conduct during the time was perfectly proper—as to what conversation he and Rolph may have had, I cannot even guess, and have never been told.

One day, Sir Allan MacNab, whose principles, like his pantaloons, sit easy on him, attacked Mr. Baldwin in Assembly about the flag of truce, when Mr. J. H. Price remarked that Mr. B. "was indebted to him (Mr. P.) for that mission, and was innocent of having any thing to do with rebellion. The Sheriff of Toronto came to him and said "for God's sake, Mr. Price, will you not lend your influence in assisting to stop the proceeding of those men who are going to attack us?" He [Mr. P.] said he had no influence, and if he should go out it would be said that he was first to join them. Why not go to Mr. Baldwin, Dr. Rolph, or Mr. Bidwell, who no doubt would lend their assistance in putting a stop to the insurrection? The Sheriff went to Mr. Baldwin, and he went out to meet the people with the flag of truce."

On referring to page 406 of the appendix to the Assembly's Journal, 1837-8, I find a statement made by Mr. R. Baldwin, dated Jan. 2, 1838, but it excludes his first journey to the insurgents.

Here it is.

"Robert Baldwin, Esq.—On the return of Doctor Rolph and myself the second time, with the Lieutenant Governor's final reply that he would not give anything in writing, we found the insurgents at the first toll-gate, and turned aside to the West of Yonge Street, where we delivered this answer—after which Doctor Rolph requested me to wait a moment for him—I did wait some time, during which he was out of my sight and hearing; I was then directed to ride westerly, this occupied the time while I was riding at a common walk from Yonge Street to the College Avenue, probably three eighths of a mile. The direction to ride westerly, as I then supposed, was for the purpose of the flag being returned to the City by way of the College Avenue—shortly after reaching the Avenue however, I was joined by Dr. Rolph, and we returned together by the way of Yonge Street. I have no reason to know what communications took place between Dr. Rolph and the Insurgents while he was out of my sight and hearing. At the foot of Yonge Street a crowd was collected, waiting apparently, the news which we might bring. After waiting some short time, the Sheriff arrived, to whom we reported that we had delivered the Lieutenant Governor's answer, and that no further propositions were made by the Insurgents. I then rode up Lot Street towards my own home, and heard as I was riding on, a cheer as from the persons collected at the foot of Yonge Street, but its object I did not ascertain. As we were returning, an appeal was made by

a person, apparently a prisoner, for our interference to procure his release, when Dr. Rolph replied that he had no authority there. With respect to the insurrection itself, I had no personal knowledge whatever, of either the conspiracy itself, the intention to rise, or the attack of the City, or the persons said to be implicated in it, and since my return from England in February last, I have been wholly unconnected with the parties or politics of the Province. R. BALDWIN."

Mr. Baldwin wrote to Lord Glenelg that Sir Francis Head, if continued in Canada, would provoke an insurrection. If Dr. Rolph expect Mr. Baldwin to join him in falsely aspersing Lount's memory, and denying what he and I stated at the time, as to the first flag mission, why did he not appeal to Mr. Baldwin instead of the flag-bearer, or to both. He passed by Baldwin, forgot Mackenzie, and only remembered Carmichael.

CHAPTER VI.

Alves on the Flag. Lloyd and Dufort.—Brotherson on Rolph. Ware's Statement. Edinburgh Review on Mackenzie.

In "the Freeman's Chronicle for 1840," 20,000 copies of which were published at Rochester, during my imprisonment there, Dr. Rolph then residing in that city, an exile, I published Mr. William Alves's letter describing the Toronto outbreak, from Rudd's "New York Reformer," and endorsed its statements as correct and true.

Mr. Alves a gallant Scotchman who, like many more of them, could endure the petty despotism of that day no longer, resolved to put it down or perish in the effort, and here is his account:

"On Tuesday, at noon, we were on our march to the city, greatly increased in strength, when we met Doctor Rolph, our own executive, and the Hon. Robert Baldwin, with a flag of truce from Sir Francis, asking what we wanted. Our reply was—"A free convention of the people." They returned, and Dr. R. advised us to follow him in half an hour, which we did in two divisions.

"When a mile from town, the same messengers returned, and brought Sir Francis' refusal, and then Doctor Rolph privately advised that we should not enter the city till dark, while he, meantime, could prepare the town folks. We marched for Toronto again, as soon as it was dark, about 750 men, for I stood and counted them as they passed onwards."

Mr. Alves was long in prison here; was banished to VanDiemau's Land; Messrs Hume and Roebuck humanely interfered at London; and he is now in the United States, and rejoices when he hears of the prosperity of Canada. Hundreds, besides him, well know, that, from first to last, we did as we were bid by Dr. Rolph, and our Lower Canada friends, at whose earnest requests, conveyed, first thro' Jesse Lloyd, the founder of Lloydtown, and then by Mr. Dufort the magistrate, now clerk to the Receiver General, (then on his way west to Detroit,) we resorted to force, were advised to communicate with him (Dr. Rolph) in his capacity as the executive, or chief of the insurrection. When the news of the reverses below reached Toronto, Dr. R. went to my office here, and caused a supplement he had prepared to cheer the faithful, to be drawn up. I was then fulfilling his orders in the country, and that was our last issue.

Alves gave himself up to Major P. Lawrence, being entrapped by Head's false proclamation of amnesty, and was shipped off for Van Dieman's Land. Lawrence made oath that Alves "lived in his neighborhood, and that he considered him an honest, upright and well disposed man, of good moral character."

P. C. H. Brotherson, Esq. of Queenston, was in Lewiston, it seems, when Dr. Rolph arrived there, on the Thursday the insurgents were defeated here—he having left his Canada friends in the lurch, after pledging himself solemnly to share their success and cheer them on. Mr. Brotherson made oath, Dec, 12, before Chancellor Jameson, that on the Friday (8th) he met Dr. Rolph there, who said

"That he had been sent by the Governor with a flag of truce, and that after getting thro' with the Governor's business, he had said to Mackenzie that if he would come into the town he thought he could take the place. He said that Mackenzie had acted unaccountably in not coming into the town, and that he expected him in half an hour after he returned with the flag. * * * And that it could be proved that he had sent messages to Mackenzie." [See the affidavit at length Ap. to J'ls. 1837-8, p. 405.]

The late William Ware, Esq. made oath, Dec 20th, 1837, before Judge Sullivan, as follows:

I saw Dr. Rolph and Mr. Robert Baldwin go up with a flag of truce; after their communication with Mackenzie, Mr. Baldwin returned leisurely down the hill; Dr. Rolph remained for a short time, speaking to Mackenzie, I think for about two minutes; Mr. Baldwin walked his horse about three rods, and then stopped, and looked around for Dr. Rolph, who then came up, and they went off for town together. When the discussion was going on about my passing up Yonge-Street, Dr. Rolph said, he must not go; I was much surprised at his interference. I was up Yonge-Street that morning, and I saw a large party in front of Montgomery's, and I was told by some of the people on the road that at least fifteen hundred were coming from Lloydtown. I was as near the body at Montgomery's as I dared. When Dr. Rolph remained behind Mr. Baldwin, Mackenzie laid his hand upon Rolph's horse, and they continued in earnest conversation together. WM. WARE.

While noticing Sir F. Head's Emigrant, the Edinburgh Review for April, 1847, remarks, that

"On Wednesday the rebels, disheartened by Mackenzie's pusillanimity, began to disperse. But Sir Francis did not even yet venture to attack them. *In the middle of the day he opened negotiations with Mackenzie;* and so accurate was his knowledge of the movement on which his eye had been all along fixed so keenly, that one of the two persons to whom he intrusted the negotiation was Dr. John Rolph, one of the chief instigators of the whole outbreak! Fortunately Mackenzie's demands were too unreasonable to be admitted; and he had not the courage to follow Dr. Rolph's advice, that he should at once attack the city. While his strength was diminishing, reinforcements continued pouring in to the aid of the Governor. Volunteers kept coming in during that evening and night; and on Thursday morning Sir Francis found himself at the head of a force so 'overwhelming,' as even to embolden him to risk the chances of an encounter."

An honorable man, in Dr. Rolph's position would not have allowed a comrade to be slander-

ed as I was for many years without manfully avowing the part he took, and acknowledging that I had no office, military or civil, in the insurrection, and merely acted as an influential individual friendly to a change in the Canadas—but Dr. R., even now, would gladly cover his martyred friend Samuel Lount's memory, and my name, with obloquy, in order that as a politician he might be enabled longer to betray the farmers of Canada, whom he has deceived.

CHAPTER VII.

Col. Fletcher's Narrative. Mackenzie Slandered to Screen Rolph. Courier & Enquirer. Ellice. Montreal Herald, &c.

The following statements, by late Colonel Fletcher, and by Mr. Watson, are a fit commentary on Dr. R's speech in Assembly, Oct. 1852.

FREDONIA, July 29th, 1840.

To W. L. Mackenzie, Rochester.

DEAR SIR:—On the Saturday afternoon previous to the outbreak back of Toronto, between 3 and 5, I called to see Dr. John Rolph at his house on King [Lot] Street, and asked him, as he was the Executive, whether any alteration was to be made or ordered by him in the time of rising. He said that as those who had the direction of the affair had, with his consent, fixed the day for Thursday the 7th Dec., at Montgomery's as a place of rendezvous, he would make *no* change or alteration whatever. You had left the city previously, to carry into effect the general agreement to rise on the 7th, on Thursday, and had informed me that you was on your way to Stouffville to give and send round the circulars agreed on, so that all might come promptly at the time settled upon—Dr. Rolph's exact words to me were—"No, by no means; I shall expect every man to be active and vigilant so as to be able to get up the expedition and come in on the 7th and take the city."—On the same afternoon (Saturday the 2nd) I returned to Newmarket, and met with Thos. Lloyd and other friends on the Sunday, who told me that Dr. Rolph had sent Wm. Edmondson on the same evening as I had seen him, with orders to raise a sufficient number of men to come down and take the city within the next 48 hours, (that is, by Monday night.) I told them that if Dr. Rolph had done this he would knock all our designs in the head, for it would be utterly impossible to get up such an expedition to do the work in so short time. They said that Governor Head had received a letter from some one in the country, and had called a council and given out some arms. Mr. Lount at Montgomery's, told me he thought the move a hasty one, but he had complied with it. I was very sorry that it was insisted on, but had to yield, and when I did so, I went to work and got as many as possible to prepare to go down, and we did so. The result you know.

I am, dear Sir,
Yours truly,
SILAS FLETCHER.

P. S.—I met with Dr. Rolph afterwards at a hotel in Rochester, the Eagle, then kept by Mr. VanRensseler, and he begged of me not to say one word of what had taken place on the other side, and appeared to feel bad about it. I said very little to him, tho' displeased at the course he had taken, and made no promise one way or the other. Had the original day been held to, we would have had a force of four or five thousand men, who would have given each other confidence, and carried all before them, for the towns were ready and willing to turn out at the time appointed. The tories seemingly expected nothing less than that we would succeed, and made at first but little opposition to us. S. F.

The Courier and Enquirer, N. Y. stated in Dec. 1837 [and the N. Y. Observer copied it, Dec. 16] that my *slowness* offended Rolph!

"Mackenzie, with about 350 insurgents, took possession of Montgomery House, a large building near Toronto, on the 4th, and instead of making an immediate attack upon the town, as was the wish of his followers, he sent his demand to the Governor, that he should dissolve the Provincial Parliament and leave the province within fourteen days. This gave offence to Rolph and others, who contended that it was only giving the Governor time to strengthen himself, and they therefore abandoned him. The Governor placed his family on board the Steamer *Transit*, and ordered her to be at anchor off the port," &c.

The late Earl Grey's brother-in-law, Rt. Hon. Ed. Ellice, said in the House of Commons, Jan. 25, 1838 [See Hansard,]

"When he saw Mackenzie and his unfortunate followers fairly beaten out of the province—when he saw them signally defeated in their attempt, not to obtain the redress of grievances, but to rob and plunder the city of Toronto, he did not feel for them in the same way as he felt for the insurgents of the lower province."

I am now in the midst of a people who have known me well for 34 years—a people for whom I risked life, health, liberty, property, character, every thing. They saw my conduct in 1837, and they saw Dr. Rolph's. Their friends, relatives, connexions, and many of themselves, suffered imprisonment, banishment, loss and damage. Had my cowardice, or Dr. Rolph's courage the most to do with the matter? I almost believe he urged on the press to abuse me, tho' keeping in the dark himself. The men who armed back of Toronto were the wealthiest farmers near it; the men who had much to lose and nothing to gain by burning and robbery.

The Hamilton Gazette says—"An event long expected by many, has at length come to pass—the petitioning for the return to Canada of that notorious coward and traitor, Mackenzie."—*Buffalo Morning Express, Dec.* 6, 1847.

"We really can see no very valid reason for excluding *Mackenzie* from the pardon which has been extended to all his accomplices. It is true he be-

trayed a good deal more of the dastard than the rest.—*N. Y. Courier & Enquirer.*

"The dastardly rebel leader, [Mackenzie."]—*Toronto Patriot*, 1847.

"Had Mackenzie acted with less precipitancy and rashness, and allowed Rolph and Bidwell to mature their plans, the insurrection would unquestionably have been more general, and it was only the general belief, that these two embryo rebels had, for the while, sided with the government, which induced numbers to do so also."—*Montreal Herald*, April 28 1838.

Those who were concerned in the insurrection of Dec. 1837, moved at the request of Lower Canada; and, as I stated in my *Gazette*, at New York, May, 1838:

"About the third week in November it was determined that on Thursday the 7th of December, our forces should secretly assemble at Montgomery's Hotel, 3 miles back of Toronto, between 6 and 10 at night; proceed from thence to the city; join our friends there; seize 4000 stand of arms, which had been placed by Sir Francis in the city hall, take him into custody with his chief advisers; place the garrison in the hands of the liberals; declare the province free: call a convention together, to frame a suitable constitution; and meantime appoint our friend Dr. Rolph, administrator of the government."

Dr. Rolph was appointed the executive, to correspond with the gentlemen at Montreal, Quebec, &c., afford us intelligence, and aid our efforts to bring about reform: and he agreed to join whatever force might assemble on Yonge Street. From that day to this hour I have never doubted but that fourfifths of the people of Canada, at that time, earnestly desired a change—and those who require the reason have only to peruse Lords Durham and Sydenham's reports and despatches.

In the movement of 1837 I had no official capacity whatever. To military skill I made no pretensions—but had resolved to risk everything to ensure or deserve success. I left Dr. Rolph's house sometime before the movement, and was thereafter employed in organizing the townships, when, on reaching Mr. Gibson's farm on Sunday night, Dec 3, I learnt that Dr. R. had ordered Col. Lount and others, far north of us, to arm at once, if any arms they had, and march upon Toronto on the Monday, four days before the time previously named to me. I tried to stop this change, as did Dr. R. (thro' Mr. Bolton) when he found he had acted upon false information, but it was too late. He afterward met D. Gibson and I on the Monday at Mr. Price's house.

The indisposition of the men who came down that night to proceed to a city from which not one friend had come to meet them, and who could neither get to d nor drink, after a weary tramp of 30 miles, may be readily imagined. They were chiefly armed with pikes—a few had rifles, but there was not a bayonet among them; the news of the failure in Lower Canada had reached them—the arms they were to use were [illegible] in the city hall.*

*MR. WATSON ON THE YONGE STREET RETREAT.

[REMARKS.—We do not wonder that the farmers hesitated. They had seen Rolph and Baldwin in Sir F. Head's service; they knew that Mackenzie was ignorant of the condition of the city, and entirely unacquainted with military matters; and they had scarcely any arms worth the name, while their opponents had field pieces, guns, bayonets, &c. Mr. Watson is a patent agent in Washington, partner with Professor Renwick's son, of Columbia College, New York. He is English, and his father was one of the twelve taken to England with Alves and J. G. Parker.]

ROCHESTER, Nov. 12th, 1839.

When Mr. Mackenzie found (after the retreat on Tuesday night) that most of the men were unwilling to enter the city that night and perceiving the disastrous consequences that must inevitably result from delay—to encourage them, and show that he himself was not lacking in the quality so essential to success, namely, physical courage, and with a want of which he had just been charging them (in very provoking and unmeasured terms of censure) he proposed to "forthwith into the city if twenty men would volunteer to follow him," but he could not get out of the whole force even such a small number who would go with him.

— Stiles, one of Lount's friends from the North, was so provoked at Mr. Mackenzie for making use of such strong language of censure, when he was haranguing them after the retreat, and vainly endeavouring to make them return, that he elevated his gun to shoot him (Mr. Mackenzie) and was only prevented from doing so by the interference of four or five of Mr M's friends who were standing by and observed him. Many of the men went away to their homes; the rest went to Montgomery's.

The above narrative of facts occurred to my personal knowledge on the 5th Dec., 1837.

P. H. WATSON.

CHAPTER VIII.

An Old Woman! Rolph's Denial. Head's False account of the Flag of Truce. Burning of Horne's House. Rolph's instructions.

In page 18 of Colonel Fitzgibbon's Narrative, he exclaims, speaking of Governor Head, "Good God, what an old woman I have here to deal with!" Many an old woman will feel insulted by the comparison. Sir Francis Head was a bad, dishonest man, sent here to deceive, and honored with a baronetcy for betraying his trust. Nothing vexed me more than when I saw the British government applaud and reward his baseness.

Dr. Rolph withholds the truth that he may appear never to have been the chief mover in the insurrection of 1837, because it failed, and therefore he is ashamed of it. The English Governor, Head, asserts what is untrue, from first to last, to hide his own pusillanimity. In page 331 of his "Narrative," and also in his letter to Lord Glenelg of Dec. 19, he tells how he despatched two gentlemen to the rebel leaders, on the Wednesday, when he had received reinforcements, and was strong. He conceals the truth that it was on the Tuesday he sent them, when he had not 150 followers. He says he called upon us like a parent, being desirous to stop bloodshed, while in reality he had his family out in the bay as if they were the china, while other folks' families, being but brownware, had to run all risks ashore. He had requested Glenelg not to allow Baldwin to darken the doors of the Colonial office, yet in his hour of trouble he had to seek his aid, and Rolph

and Baldwin's mission weakened the insurrection everywhere, by leaving the false impression that they were with the government. It spread through the whole province an impression that Rolph was in favor of the Government, and against Mackenzie; and as Mr. Bidwell had been previously requested to undertake the same mission, the same impression prevailed with respect to him. So that until Thursday the government had the full influence of Rolph's and Bidwell's names in their favor with the reformers.

"On Tuesday forenoon [says the U. C. *Herald*] the government force mustered only about 300, says Sir Francis Head, only 150 says Mackenzie; and the rebels mustered 6 or 800; so that if an attack had been made on Tuesday, the city must have fallen.—The flag of Truce was sent on *Tuesday forenoon*, in order to gain time in that threatening emergency, and the fact that, *after having been beating to arms all night*, the government could only muster a force of about 300 out of 10,000, shows its deplorable weakness."

How boldly Sir F. Head lied when the danger was passed! In his speech from the throne, Dec. 28, he says:

"Upwards of 10,000 men immediately marched towards the Capital—and * * * as soon as the people had organized themselves, I saw it would be necessary to make an attack, however feeling the greatest possible reluctance at the prospect of a sanguinary conflict with the deluded subjects, &c., I despatched to them two of their own party to tell them that I parentally called upon them, as their Governor, to avoid the effusion of human blood."

Bowes, Rolph, and Head, in their denials and affirmations, seem to be equally candid, equally sincere! In the *Gazette* I published at Rochester I stated that "in burning that house [Horne's] "we followed the distinct and explicit orders of "Dr. Rolph, our executive, which were to do "so before we set off for the city. There were "useful things in it, but we took not to the value "of a shoe latchet;" but I did not state that he also mentioned that when coming down Yonge Street, we were to permit no one to make any noise near Sullivan's house, but that there would be no harm if we paid a visit at Elmsley's. After our retreat that night to Montgomery's, Rolph sent a message to enquire why we retreated. I replied by a written note, and never saw more of our executive till I landed in Buffalo.

For Rolph's order to destroy Horne's house there were strong reasons alledged, but why Head and his council burnt Montgomery's and Gibson's I never could find out.

CHAPTER IX.

My first Acquaintance with Rolph. He enters Public life. Why he was Supported. His conduct on the Frontier.

I think it was in 1821 I got acquainted with Dr. John Rolph, up at Dundas: he seemed to lean toward Judge Powell, when Bishop Strachan and Mr. Robinson quarreled with that functionary, and in 1823 he took up the case of R. Randal, who had been cruelly persecuted and shamefully defranded, nor could I anticipate that he would desert it when in office, even while admitting its justice—as he did in the matter of lot 39, concession A., Nepean, and also when the vote was taken last session, upon printing the correspondence, and placing on record on our journals the first transactions thro' which poor Randall was cruelly sacrificed.

At length, in 1824, Dr. Rolph and an English artillery captain offered to represent Middlesex and so anxious was I for their return, that I rode 150 miles from Queenston to St. Thomas, to canvass, lecture, and secure voters. For six years Dr. R. retired from the legislature,, but when in Assembly he opposed the local authorities, and that was in those days the only test of liberalism. I wanted to see him advanced in his profession, and was glad when he was recommended from England as Solicitor General. What he desired to do in office we could only guess at. I wish we had known as well in November 1837 as we now know.

When I state some particulars of Dr. Rolph's conduct, the question will arise in the reader's mind, why did you urge his election upon the people in 1851, and try to put down men known to be opposed to him, in order that he might have increased influence?

I had looked on while other popular characters tried their hand at legislation and government They had signally failed. What was to be done? Dr. Rolph had professed much. His practice could not be worse, and might be much better than that of the other discarded state physicians. I refused to go to the Hincks and Rolph secret meetings, believing them a deception, but canvassed and wrote till the elections were over. Dr. Rolph has since had a full and fair trial. It was his right.

Dr. Rolph sent messengers who are now in office to us, on the Tuesday night, after our people had declined to enter Toronto, and I wrote a brief statement of affairs and sent it to him. I heard no more of him till my arrival at Buffalo. He had started for the United States early on Wednesday morning, without giving any one of his comrades the slightest hint of his intention. In 1837 he deserted us—in 1853 he denied us and said we were traitors! Before we were defeated, at Toronto or about the same time, Dr. Rolph was in Lewiston!

It seemed to be an object with him while there to act as secretly as possible. He did what he could at Buffalo, Lewiston, and Rochester, while we were upon the island above Niagara Falls—he visited Navy Island from time to time, but not till after the Caroline was sent over the Falls and the dispute seemed about to take a national form.

In Mr. Sutherland's address at the Eagle Tavern, Buffalo when Rolph was called for, he said, "he wished to state why Dr. Rolph was not pres-"ent to address the meeting. He had *friends* and "*relations* in Canada, some of whom were in "prison, and all under surveillance, whose lives "and fortunes depended upon his movements. "They were held in terrorem over him. His "tongue was tied." We suppose that he meant the Baldwins, Durands, Rolphs, &c.

CHAPTER X.

Dr. Rolph at Buffalo. He Might Have Saved Mackenzie's Property, and Spared Him a Year's Imprisonment.

Many more of us were in the same situation, but it seemed the wiser course not to desert in the hour of difficulty those we had agreed to

set with. Dr. R., was much cast down however, and when the Buffalo Committee of Thirteen waited on him at the Eagle, he told them he never would return to or set his foot in Canada again, because he had no confidence in its inhabitants whom he said he had abandoned for ever. On Dec. 11, Head issued a proclamation offering a reward for him.

One little circumstance has come to my knowledge recently, which has made me less doubtful as to Rolph's true character. It is this:

When it became evident that my store on Yonge Street, containing 20,000 volumes of books and much stationary, &c., as also the printing office and bindery might be attacked, my wife went to Dr. Rolph and asked his advice, whether it would not be well to get friends together, and carry to safe private houses a large share of my property, and thus save it from risk. "Give yourself no trouble, Mrs. Mackenzie," said the doctor, "give yourself no trouble; when the new government is installed your losses will be amply compensated," or words of like import.

Since my return, I have ascertained that while he was thus careless of my substance, he was exceedingly careful of his own: and packed up everything likely to be endangered, in case of failure or difficulty, employing patriots now in town to cart it off to a place of safety. I have since humbly applied to him to aid me in getting a full account of what the government seized, but with poor success.

He and I never had an unkind word till he rose up in Assembly in 1852, and denounced me as a traitor to the party, because I moved to give the people the choice of county officers, praising Gamble at some time for starting the question. When I settled in New-York, he called to see me, in John Street, and we had just heard the news of our comrade Lount's sad fate. He remarked that it was only what might be expected, and wished that in any statements I might make about frontier troubles, his name might not appear—in other words, that as the insurrection had not proved a stepping stone to power, I would take the whole responsibility.

My remarks in the Gazette, were not to his mind, however, and he punished me very severely.

It seemed to me that to cease to agitate would be to consign both Canadas, especially the lower colony, to a cruel despotism, and I took hold of the press. Government instantly prosecuted me for the frontier movement, and the trial came on in the summer of 1839, at Cananadsigua, 28 miles from Rochester, where Rolph and I resided.

Rolph's intimate knowledge of the movements at Buffalo made him a most desirable witness on my behalf, and I fully calculated on his presence in court—but true to his plan of keeping dark he deceived me, tho' I waited a day for him, and had his pledge that he would appear. As it was, the jury, tho' selected by the marshall, to please Van Buren (who wanted a conviction) were at first 8 to 4 for an acquittal. My remarks in "The Freeman's Chronicle," were these:

"Mackenzie depended much on Dr. Rolph's evi-
"dence for an acquittal in the court at Cananadsigua,
"and had a set of questions ready for him, but the
"Doctor gave him the slip in his hour of need, just
"as before at Toronto. Mr Montgomery had wait-
"ed on the Doctor to ask if he would attend if serv-
"ed with U. S. process. He replied that he certain-
"ly would, and Mr. Robertson [now residing in Bel-
"leville] served him with a subpœna in the usual
"way, through whom also he intimated to Macken-
"zie that he might be fully depended on. When
"the trial came on Dr. Rolph neither came nor sent
"an excuse nor enquired on what points he was to
"be examined."

And since:

"Mr. Mackenzie caused the process of the Court to be duly served on Dr. John Rolph, of Rochester, who was in Buffalo, at the Eagle Tavern [Patriot head quarters] at the time these transactions took place, and from the turn the trial took, would have been an important and valuable witness, and the Doctor gave his promise to attend, but did not. We understand he stated as an excuse that he missed the stage, the distance being only 28 miles, and the road excellent. Neither did the Doctor send any excuse or explanations. Mr. M. much regretted his absence. Had the trial been in Albany, Mr. M. would have risked anything rather than trouble him to come such a distance unrewarded, but he did expect that a distance of 28 miles in summer would not be an obstacle to a witness who had his own carriage."

CHAPTER XI.

Rochester Jail. Friendship in Fair Weather. Bidwell Ruined!

For a twelvemonth I lay in jail, close beside Rolph's comfortable mansion—but he never visited me there—he even came to the prison professionally, but forgot my existence. For the first four or five months I was never once allowed to cross the threshold of my iron grated apartment—for ten months I never was once outside the prison, not even to the yard! For weeks at a time none were allowed to see me but my family or a physician—and of my family some died, while others got the disease that sent them to eternity in the miserable tenement they were compelled to reside in. Professor Webster of Geneva and Dr. Smyles, when I fevered, certified to the unwholesome treatment I got, but my comrade, Rolph, never once enquired for me or my family—never visited me or them! Nay more, my worthy friend, Mr. Shepard of York township, grist-miller, assured me last Saturday, that when he and others had escaped from Fort Henry, they called on Rolph one forenoon, at Rochester, who instantly asked them whether they would not certify to his character, to the effect that he had acted a courageous and consistent part in the Toronto insurrection, and that I hadn't. They put it off till after dinner and did not go back, nor was there a man of them who would have so certified.

Never thereafter till Rolph saw me fairly over my difficulties, and once more a member of the legislature, (a thing he had never expected to see,) did he remember my existence; but when a seat in the House gave me influence, which he once more wanted, I had a most courteous and friendly visit, at my dwelling here; and again, and again—but I

did not return them, for I couldn't help remembering Rochester jail, and the dying whom as a physician and a friend he ought to have visited in their day of trouble. He was kind enough to offer to introduce me to Lord Elgin, but I declined the honor, tho' no man went to Quebec more anxious to uphold his lordship and his ministry if they proved true to principle.

Bidwell was wealthy—a shrewd lawyer—born in New England—in the midst of friends—extolled to the skies as a patriot whose wise annexation measures Mackenzie had marred—and admitted, as an American, to practice in all the courts: yet see how he wrote!

"I have acted faithfully, disinterestedly, and never "violently; my reward is banishment and ruin.—"Please remember me to Mrs. —— and all other "friends. I hope I may yet see her, altho' I can't go "to Canada. If I get settled I hope to meet her at "my *home*. Ah! I never before knew the full value "of that word. * * * But I can believe that God "may have important ends in view in thus ordering "my affairs; that this trial of my faith may be sanc-"tified and blessed to my spiritual good, and that I "shall yet praise Him who is the health of my coun-"tenance."

To Sir F. Head, he bemoaned his fate—"That I "should (said he) suddenly and forever leave my "home and country (Canada,) with all their ties and "connexions, the scene of my dearest attachments "and happiest recollections, the birth-place of all my "children and the burial place of three of them."

If Bidwell was "ruined," tho' possessing a fine property at Toronto, another at Cobourg, another at Kingston, and lands all over, merely because he chose to go home to his native country, where his father had been congressman and attorney-general, how trying was my lot? Immured in a prison—traduced all over America and Europe—dragged from court to court; branded as traitor, coward, rebel and runaway; without means or a profession; with a large family to support, and often in ill health; and with such friends as Dr. Rolph! I firmly resolved to deserve a better fate, and am not unrewarded.

CHAPTER XII.

Was Bidwell a Rebel in 1837? *The Berkshire Jubilee. A Reminiscence. Dufort. Ryerson's Defence of Bidwell. Mackenzie Repudiated.*

The question is often asked me—What part Mr. Bidwell took in 1837? None that I know. His whole life shews that he would have rejoiced at the success of the insurrection, for he always avows his preference for his native country and her institutions; and at the great Berkshire jubilee, August 22 & 23, 1844, he was the first man Governor Briggs of Massachusetts called on for a speech, when he said (page 158)

"I have come here simply to enjoy one of the "dearest wishes of my heart—that of revisiting, *af-"ter a long absence in a foreign land*, the scenes and "friends of my childhood. I come, I know, with the "same sentiments and feelings which are experienc-"ed by the thousands around me; and it does my "heart good to stand here, as his Excellency our "honored president has said, a son of Berkshire. It "is the proudest title to which I have ever aspired."

Massachusetts is a noble state, and Mr. Bidwell may well be proud of it. Other men may, like the Montreal junto, be annexationists from interest, but Bidwell is for annexation because taught from his very infancy to detest our colonial system. What passed between him and Rolph, and the parties that met nightly at Rolph's before the 7th Dec., I know not of my own knowledge—and if Mr. Bidwell's statement, that he had nothing to do with the movement, be true, as perhaps it is, the following extract from a letter addressed to Mr. —— of this city, contains some capital errors:

"When I was in Toronto, in the fall of 1837, I became acquainted with Mr. Bidwell. From him I learned the projected revolution, and general calculations to be entered into. To him, my brother-in-law, Judge Butler, made several pledges in relation to my rendering assistance to the Provincial Army, if a general concert was required. Before leaving Toronto, a gentleman by the name of Dufort, from Montreal, introduced himself to me, as one of the magistrates, who was forced to leave Montreal by reason of his political sentiments, &c., and that to him was entrusted despatches from Papineau in relation to the prosecution of the intended campaign. I introduced Mr. Dufort to Mr. Bidwell to consult on the proposed connection of the provinces, &c.

"The next day I left, with Judge Butler, Dufort and others, for Detroit, after having pledged myself to render whatever assistance I could to support the provincial cause. As I passed through the country, meetings were held at almost every town; and the excitement was such as to justify the belief that the people were ripe for a general revolution. When I arrived at Detroit, by the solicitation of my brother in-law and Mr. Dufort I concluded to remain in that city during the winter, instead of prosecuting my journey south to my family.

"Judge Butler, then a prominent member of the House of Representatives of Michigan, and Mr. Dufort who was authorized to get up an expedition, set on foot in the last of the month of November, what was termed a war council, which embraced prominent and influential members of the House of Representatives, together with the officers of the state and United States, and the wealthiest citizens of the city and state (Detroit and Michigan.) This council will in time, &c."

Mr. Dufort is in the government employ at Quebec, and can correct errors in the above.—All I know is that he was here as stated.

Rev. Dr. Ryerson, between whom and Mr. Bidwell there is a close intimacy, thus addressed Hagerman, Attorney General, May 29, 1838:

"Sir Francis comes and 'regenerates the province, and at the end of two years our currency was deranged, or rather destroyed, commerce was paralized, the public debt increased beyond precedent, the value of property was greatly reduced, and emigration scarcely seen, and hundre'ds of inhabitants whom an obedience to royal conciliatory instructions would have made peaceable and happy, and won over to the government, are leaving the province for other climes."

"Was not Mackenzie's famous declaration published in August last, and all his meetings and organizations from that time to the 1st of December, published in his paper accompanied with seditious appeals? Did not all these come under your own eyes? Were they not time and again made topics

of representation to you by various individuals?—Have you not since sought to convict persons of Treason for being parties to that very declaration and to those meetings and organizations? Were they not as treasonable from July to December as they are now? Were you not appointed to office by the Crown and paid by the Province to see that the laws are not violated—to protect the lives and properties of Her Majesty's subjects against all unlawful aggressions and conspiracies? If Mr. Bidwell's silence as a private individual in regard to those proceedings was, as you contend, Misprision of Treason, was not your official silence as the first Law Officer of the Crown, tantamount to High Treason itself? Was not your silence in relation to those proceedings for three months, a declaration to all the unhappy men inveigled into them that they were violating no law; and that they were transcending the bounds of free discussion?"

This "famous declaration" was chiefly from Rolph's pen, but he took care not to sign it!

It is proper that I should state here, that Mr. Bidwell expressed to his friend Hall of the *Commercial*, N. Y., a "strongly unfavorable opinion of Mr. Mackenzie as a man and a politician," and that Hall announced the fact thro' his press; as also, 29th Dec, 1837, that Bidwell and Rolph were not then on Navy Island; and, (added Mr. H.) "we venture to say they will never go to join Mr. Mackenzie, whom they both heartily despise." Most men are despised when in prison and crushed. With Mr. B. Massachusetts was a foreign land in 1837, and Canada in 1840. When Mr. B. went forth to Rochester, he commended his family "to that God who led forth Abraham and Jacob." Like Head and Rolph, he attended carefully to No. 1, whether other folks got Abraham and Jacob's luck or not.

The *Commercial*, May 3, 1838, assures its readers, "that the zealous loyalty manifested on the "occasion [of the U. C. revolt] was in a great "measure owing to the general knowledge and "understanding that Mr. Bidwell was opposed to "the designs of Mackenzie, and prepared to give "his best support to the government," forgetting Mr. B's letter to O'Callaghan and Papineau,

"Your great and powerful exertions in the cause of Liberty and Justice I have noticed with admiration and respect; and I look with deep interest on the struggle in Lower Canada between an insulted, oppressed and injured people, and their oppressors. All hope of justice from the authorities in England seems to be extinguished."

I get all the blame, and from a couple of politicians too, who stood ready, in case of independence to engross all the honor, power and patronage! Even Lount's memory must be slandered to bolster up the Rolph of 1854, recreant as he is to every principle of early life!

CHAPTER XIII.

What Rebellion Has Done. Public Opinion. Rolph in Navy Island Times and Now.—Rolph on Methodism.

Did not rebellion against a faithless prince produce magna charta? Did it not give Sydney, Hampden, Russell, and Wallace noble places in history? Were not an earl and a marquis of Argyle beheaded for rebellion, and does not impartial history denounce their slayers as the traitors? Was Emmet the wrong-doer? No, but the court that condemned him for resisting the cruel oppressors of his country, has much to answer for? King Charles of France issued an illegal ordinance, and Lord John Russell declared that that outrage justified rebellion to his authority. Edward I. executed brothers of Robert the Bruce as rebels, but did that cruelty induce the victor at Bannockburn to succumb to constituted wrong? Who now blames the Mexicans for breaking the Spanish yoke, or our neighbors across the Niagara for spurning oppression? Was it Charles I's honesty that placed Cromwell at the head of a republic? Or the virtues of the French church and nobility that brought Louis XVI. to the block? Had James II. to abdicate because of his love of civil liberty, or was the resistance of the rebel Hungarians, crushed by Russian power, unjust and wanton? Has not the Pope to borrow bayonets and troops to uphold his tottering throne, and shall the memories of the men of 1837 be insulted by persons who talk of loyalty and mean love of office—who urged on resistance out of pique, and basely deserted the dupes who trusted in them?

Rolph's denial of his comrades of 1837, is even worse than his desertion of them that year. Does he mean to admit that they complained without a cause, or resisted even a tolerable government? If not, what does he mean?

Have I been less successful in Haldimand because I resisted Head's ignoble rule? Is Dr. Wolfred Nelson less acceptable to the citizens of Montreal, as mayor, because he drove back the redcoats whose commanders had sought to trample under foot Canadian liberty? Must we conceal truth and promulgate falsehood to prove our title to remain in the executive council of 1854? Are we to be proud as Canadians of the Van-Dieman's jailer and his vindictive advisers, (one of whom Mr. Hincks and his colleagues, pampered long and then pensioned off at $1200 a year,) because they were ready to hang Chandler, Waite, the gallant McLeod, and a fourth from a batch of untried Canadians? Proud of wrong and ashamed of manhood and gallantry!

When on Navy Island, Jan. 3, 1838, I sent to the Rochester *Democrat*, a statement of wrongs written by Dr. Rolph, to which, at his request, I signed my name. He said, that

"Whenever executive bribery, corruption, and deceit, can realise a subservient assembly, laws are artfully secured, under the pretence of popular consent constitutionally expressed, to abridge or neutralize popular right, and to extend or fortify executive influence and Royal prerogative. The favors and bounty of the crown are not bestowed in vain upon members during a session of Parliament; nor do they *voluntarily* subserve the views and policy of the government without receiving rewards, *unasked*."

"Until the year 1833, the Methodist Episcopal Church in Canada, as its public history proves, were the open and active friends of civil and religious liberty. This was, to monarchy, an evil to be corrected. Four thousand dollars a year was therefore, graciously given them by the Government for religious uses, and a plan was further consummated, for changing them from the Episcopal to the Wesleyan Methodist Church under a President and Missionaries sent from England to infuse into the conference, and through the people, political acquiescence and subserviency. Thro' the instrumentality of the priests thus purchased, the whole compass of Methodist society was suddenly shocked and paralyzed, while religious peace and prosperity were destroyed, and the church dismembered. The services of other

churches have been secured by the same ecclesiastical bribery out of provincial monies arbitrarily appropriated to this unholy purpose. The Roman Catholic church in Canada, has been in like manner, very liberally retained amidst the profession of a belief that it is the object of the most awful denunciations in the book of Revelations. When Ireland pled for emancipation, the Kings of England were overwhelmed with a sense of the coronation oath, but the Royal conscience is not so far expansive as to reach the colonies with shame for an adulterous connection between a Protestant Government and a Roman Catholic church; which church, in its purity, as in the United States and Ireland, would spurn the union and scorn a polluted bribe.

"The political influence and withering effects, not of one but of many state-paid priesthoods, can be fully appreciated only by those who have personally witnessed and experienced the diabolical act.

"When they could not tire out the people by repeated elections, or corrupt the patriots, they descended to the meanness, the cruelty, and the despotism of a coercive policy. Upper and Lower Canada are under the same constitution, and the same unprincipled administration of it. It must be with them as with the rest of the world: their free constitution must be written in blood.—☞ "Resistance to tyrants, is obedience to God." JOHN ROLPH.

Is not executive bribery just as rife now as it was formerly? Are not the priesthood, tampered with as openly and effectually by Rolph, Hincks & Co. as they were by any former government? If Englishmen had not resisted arbitrary despots in England, where now would be the British constitution? All that men could do or say against British power John Rolph said and did while in the States—but he talked and acted in the dark, and having changed his tactics is now ready to blast the memory and reputation of both dead and living who followed him—of men who acted openly, and neither in death or in life concealed their opinions or conduct.

ROLPH vs. LOUNT.

The French can now boast that in the course of their revolution there has not been shed *one drop of blood more* than was necessary to their own freedom and liberty. God grant that it may continue so! *Speech of Charles Earl Grey, in the House of Lords, upon the French Revolution of* 1830. *Hansard's Debates*

COLONEL LOUNT'S STATEMENT.

The prisoner Samuel Lount, on being asked whether he wishes to make any statement, says that he did not know of any intention to rise in rebellion for more than two weeks previous to the Monday on which the assembly took place at Montgomery's; that while he was with the rebels he disapproved of many of their acts, particularly the burning of the house, which he did not hear of till after it took place. I had no idea it was to be a rebellion; I was informed and led to believe that what we wanted could be obtained easily, without bloodshed—I opposed the burning of Mr. Jarvis' house and exerted my influence to prevent the rebels from going there, as I understood that Mrs Jarvis was unwell. When the flag of truce came up, Dr. Rolph addressed himself to me; there were two other persons with it besides Dr. Rolph and Mr. Baldwin. Dr. Rolph said he brought a message from His Excellency the Lieutenant Governor, to prevent the effusion of blood, or to that effect at the same time he gave me a WINK to walk on one side, when he requested me *not to hear the message but go on with our proceedings*. What he meant was, not to attend to the message. Mackenzie observed to me that it was a verbal message, and that it had better be submitted to writing; I took the reply to the Lieutenant Governor's message to be merely a put off. I understood that the intention of the leaders was to take the City of Toronto, and change the present form of Government. I heard all that was said by Dr. Rolph to Mackenzie, which is as above related. This was the first time the flag came up. I was present also when the second flag came up. Dr. Rolph then observed that the truce was at end. I do not know who shot Colonel Moodie: I do not know who was on guard. (Signed) SAMUEL LOUNT.

Taken before the Commission, 13th Jan., 1838.

(A true copy), A. B. HAWKE,
Secretary to the Commission.

[From the Quebec *Gazette*, 1st Nov., 1852.]

DR. ROLPH AND MR. BOULTON. THE FLAG OF TRUCE.

The statement of Mr. Boulton corresponds with what has heretofore appeared in some of the newspapers, and the truth of this statement Mr. Rolph, in his place in the House, very explicitly denied, averring that from the commencement of the flag of truce to its dissolution, everything was conducted with good faith.

The following we copy from one of the statements which a friend of Dr. Rolph has put into our hands. It is a solemn declaration from Mr. Hugh Carmichael, who was the bearer of the flag, and who furnished it to Dr. Rolph's friends expressly to contradict the misstatements abroad. These facts are known to correspond with the statements of the Hon. Robert Baldwin, who was necessarily an eye-witness of and a party to the very same facts, and with exactly the same opportunities of knowing their truth as Mr. Carmichael had; without the knowledge of both whom Dr. Rolph could not have violated the flag, as has been alleged.

THE FLAG BEARER'S STORY.

I have repeatedly seen in the newspapers a statement that, "when the flag of truce, in 1837, "came up to the late Mr. Lount, Dr. Rolph said "to him he had brought a message from His Ex- "cellency the Lieut. Governor to prevent the ef- "fusion of blood. and that at the same time he "gave Mr. Lount a wink to walk on one side, "when he requested Mr. Lount not to hear the "message, but go on with their proceedings, mean- "ing that Mr. Lount should not attend to the mes- "sage." I was the bearer of the flag, and accompanied Dr. Rolph and Mr. Baldwin throughout the transactions under it.

Upon the arrival of the flag of truce on the ground, Dr. Rolph addressed Mr. Lount, who stood at a distance, and announced a message from Sir Francis Head "to prevent the effusion of blood, and to offer an amnesty from the Governor upon peaceably going to their homes."

Mr. Lount accepted the terms, and in behalf of those with him requested of the flag of truce a confirmation of their authority in writing.

Dr. Rolph and Mr. Baldwin said they would go back to the city, obtain it, and return and

meet them with it at the Toll Gate; Mr. Lount at the same time engaging to do no act of hostility. And they immediately returned with me under the flag to the city for that purpose.

During the going out and staying on the the ground, and returning to the city, as above stated (all of which was done promptly) Dr. Rolph, Mr. Baldwin, and myself, being all on horseback, kept in close phalanx, not a yard apart. Neither of the persons mentioned could have got off his horse, nor have called or winked to Mr. Lount and walked aside and communicated with him, nor have said anything irrelevant to the flag of truce, or against its good faith, as is untruly alleged, without my knowledge.

Upon returning to Toronto with the flag, as stated, Dr. Rolph and Mr. Baldwin asked for the expected confirmation of the authority, and received in answer, that Sir Francis Head had recalled the amnesty. In company with Dr. Rolph and Mr. Baldwin, I immediately returned with the flag in the same compact order as above stated, to Mr. Lount, and Dr. Rolph, with expressions of regret, announced the retraction of Sir F. Head.

The flag of truce was then openly and formally declared at an end.

Up to this second and final period of the flag of truce, neither of the persons mentioned could have got off his horse, nor have called or winked to Mr. Lount and walked aside with him, nor have said anything irrelevant to the Flag of Truce, or against its good faith, as is untruly alleged, without my knowledge.

HUGH CARMICHAEL.

Quebec, 30th August, 1852.

LETTER FROM COLONEL LOUNT'S WIDOW.

To W. L. Mackenzie, New York.

UTICA, Macomb Co., Mich. Dec. 8, 1838.

DEAR FRIEND:—I have been perusing a piece in one of your papers taken from the *Christian Guardian*, known to be a paper of little truth by every one acquainted with its conductors, [Messrs. Ryerson & Evans,] stating that my husband had spoken very much against you, which assertion I and my family know to be false; and I am persuaded you was acquainted with Mr. Lount years enough to think otherwise. He ever taught his family to respect Mr. Mackenzie as one of the most honest and honorable men he ever met with. I was with him during the three last days of his life. Instead of berating his friends, he prayed for their success, as well as his country's freedom, and believed Canada could not long remain in the power of such merciless wretches as have murdered its inhabitants for their love of liberty.—But he forgave his enemies and prayed they might repent of their wickedness, although he considered himself unjustly put to death by them, and wished me never to ask life of his enemies. But my anxiety would not allow me to leave the least undone that was in my power to do towards saving his life, therefore I appeared before Sir George Arthur in behalf of my husband, as has been stated. His answer was, "If your husband "is as well prepared to die as is represented, per- "haps he will never again be as well prepared, "if reprieved now, and I do not think he can be "prepared to die without bringing other guilty "men to justice, as the Council thinks he knows "of many whom I think, if he would make "known, mercy would be shewn to him, and I "wish you would return direct to the jail and "tell him this from me." He made me several other answers which are not stated here.

I have lately been on a visit to Canada, and found the tories determined to retain the property from me and my fatherless children. I have ever wished to see you since I crossed the lines as I could tell you more than I could write. Please give my love to Mrs. Mackenzie and family. I wish you to direct the papers which you are so kind in sending me, to Utica, P. O., Macomb Co., Michigan, and oblige, ELIZABETH LOUNT.

Lount's Companion in Adversity.

DUNDAS, 10th Dec., 1849.

I was residing at the Holland Landing in Nov. 1837, when the late Colonel Lount requested me to go to Toronto with a message to W. L. Mackenzie, who left immediately for Stouffville. After church-time on Sunday, Dec. 3, it was rumored that Messrs. Sullivan and Draper's government had issued warrants for the apprehension of Messrs. Lount, Rolph, Gibson, Bidwell, and Mackenzie. Gibson, whom I visited soon after, had despatched a letter per Mr. Edmondson, enclosing a note from Toronto, to Col. Lount. I was soon after warned to be at Montgomery's at nine on Monday night.

That night, Dec. 4, I accompanied Messrs. Mackenzie, Anderson, Smith and Michael Shepard from Montgomery's toward the city. We met Mr. Macdonald and another—took them prisoners—Mr. Powell was given in charge of Capt. Anderson—and Mackenzie, accompanied by Robert Smith, continued their course toward the city.

On my return to Montgomery's, Col. Lount was standing outside—Col. Moodie and his friends had tried to force their way thro' the patriot guards; Moodie had fired on the sentinel—it was returned, and he was wounded—one of his companions, Mr. Prime Lawrence, forced his way thro'.

Col. Moodie was carried into a room, and Dr. McCague instantly sent for by Col. Lount. I was requested to return, with Michael Shepard, toward the town, and meet Mackenzie, and did so. He was on his way back, with Smith, near Mike Whitmore's, and requested us to take Capt. Anderson's body off the road, which we did. After the fighting, on Thursday, Col. Lount, myself, and others, crossed a field to the back concession, near Shepard's mill dam. John Reid and W. L. Mackenzie, got to the mill soon after us, chased by four men, whom we fired at. Jacob Shepard's people gave us an oven full of bread, and milk, cream, &c. Mackenzie and Lount then separated, and I went with Lount, and shared his fate till we were arrested.

Lount and I then went to the rear of King—we were two nights in the woods—the third we spent with Mackenzie's Scotch friend, David Oliphant, in Eramosa—thence passed into Waterloo by Guelph, and after enduring many privations, we returned, via Mount Pleasant, to Fiamboro' West, Lount finding shelter with Obed Everett, Squire Hyslop, John Hathaway, and others. I remained with my children at Dundas till warned that I was to be arrested. Lount and I then went to Mr. Latshaw's near Paris, thence to a friend's near Simcoe, then to Long Point, where we got an open boat, and attempted to cross Lake Erie to Erie, in January, 1838. There were four of us, viz: Lount, Dean (a French Canadian, who gave us the boat), a boy, and myself. For two nights and two days we were in that open boat, our sufferings were great beyond description, we were strangers to sleep, and toiling continually. We had a piece of pork, but it was frozen. When near Erie the wind blew us back into the lake, and we drifted to the mouth of the Grand River, where we would

have froze to death if a farmer who had watched us drifting on the lake, had not taken us prisoners, with the aid of a party. We were taken to Dunnville, to William Orderley's tavern, and examined by David Thompson, Esq., M. P. P. and Squire Miln, who sent us close prisoners to Sir Allan MacNab at Chippawa.

The morning after we got there, Wm. Nelles, Esq., of Grimsby, came into the Guard House, made known who Lount was, took him instantly before Squire Cummings, who sent him to Toronto, a reward of $2,000 having been offered for his arrest. I was committed to Hamilton jail.

Lount expressed great regret that he had parted from Mackenzie, toward whom he had the most friendly feelings. When sick in the woods, he said "I would not care if I was dead if I had Mac along with me." I was never permitted to speak to Col. Lount after we parted at Chippawa. Our friendship had been of long standing, but was not to be renewed on this side of eternity.

I was sentenced to transportation to VanDieman's Land, by Chief Justice Robinson, for resisting the oppression of the family compact, but escaped, with Michael Shepard, and others, from Fort Henry.

EDW. KENNEDY.

HEAD'S ABUSE OF ROBERT BALDWIN.

[From Head's address to the House of Lords, London, on the *Canada Union Bill of* 1840.]

He [Mr. Baldwin] well knew that the rebels would not injure *him*, and secure under this infamous protection, he was content that they should *murder* the representative of his Sovereign, the judges, or any of the loyal subjects who had assembled to oppose them. He could calmly see, as he *did*, the houses of his townsmen in flames, and could look upon the scene as if it did not concern *him*.

At a moment when the Lieutenant Governor well knew that *he* could not approach the rebels with safety, and that any man of acknowledged loyalty would have been barbarously shot down by them, Mr. Robert Baldwin and Dr Rolph undertook to convey to the rebels a message from the Lieut. Governor, calling upon them in the name of their sovereign to stop the effusion of human blood. Instead, however, of delivering this message, Dr. Rolph, who was the secret concocter of the rebellion, infamously advised them immediately to advance, while his bosom friend, Mr. Robert Baldwin, bore back an answer not only insulting and defying the government of his Sovereign, but demanding the surrender of the authority which the constitution placed in his hands. Mr. Robert Baldwin knew that the traitorous demands of which he was the bearer, could not and would not be conceded, and that instant murder and pillage *was* threatened; and yet, when every respectable member of his profession was under arms, he could withdraw to his dwelling as to a place of sure refuge (which to his shame it was), and could leave his fellow subjects to encounter without his assistance whatever treason might have power to accomplish!—Page 32d.

To His Excellency Sir Francis Bond Head.

TORONTO, 8th December, 1837

SIR,—In consequence of the kind conversation of Your Excellency this morning, I have determined to leave this Province for ever.

I am aware that the circumstances to which Your Excellency alluded are calculated to give rise to suspicions against me in relation to this insurrection; and while they would be likely to render my further residence in this Province unpleasant, they make Your Excellency's kindness the more worthy of my deep and lasting gratitude.

I am confident, at the same time, that the investigations which will now of course be made will fully remove these suspicions from Your Excellency's mind, and will prove that I had no knowledge or expectation that any such attempt was in contemplation.

I have the honor to be, most respectfully, Your Excellency's grateful servant,

MARSHALL S. BIDWELL.

VOTES OF 1852 AND 1853.

There are two Christies in the Assembly, and whenever "CHRISTIE" is spoken of as being absent or as voting, "David Christie of Wentworth and Brant" is meant.

AMNESTY TO O'BRIEN, FROST, &c.

I moved the House, [Journal, p. 389], to address the Queen and tell her how pleased we'd all be if she'd graciously forgive the Welsh and Irish political prisoners in VanDieman's Land. Government gruffly said "No!" and my proposal was voted down by the sweet voices of Annexation Prince, Brown, MacNab, Morrison, Street, HINCKS (Irish in name at least), Morin of 1837, Robinson of the Canada Company, &c. The heroic Rolph hid himself at the vote. I couldn't find him. But I moved the resolution again [Journal p. 752], and he had by that time plucked up courage enough to vote NO! along with Hincks, Gamble, Turcotte of 1837, Richards, Ridout, &c. No matter! Lord Palmerston soon after had the Queen's commands to free every man of them, and send them home to their wives and children. Long life to Her Majesty! and no thanks to spiritless, soulless, beggarly politicians since burnt out of their den upon Cape Diamond, who feel for nobody but themselves, their percentage, scrip, &c.

ABOLITION OF THE COURT OF CHANCERY.

1853, May 11, I moved, in substance, seconded by J. White, for a committee of 7, to be named by the House, with instruction to report by bill or otherwise, for conferring such Chancery powers as might be found needful upon the common law judges, who go on circuit and hear the evidence in open court, and thus to dispense with the Court of Chancery in Upper Canada as a separate, secret tribunal. [Jour 844.] I had carried a similar motion by Upper Canada votes in the previous parliament, but the Lower Canadians swamped us. Government then, thro' F. Hincks, promised to remedy the abuses of the system, but have made bad worse. Brown moved amendments, giving the question the go-by, but failed.

On the vote for abolishing this oppressive tribunal, as above, the nays were

Brown!	Langton!	Christie!
Cameron!	Richards!	LeBlanc,
Rolph!	Hartman!	Smith, Durham,
Johnson,	Morin,	Cartier,
Drummond,	Sicotte,	Turcotte, &c.

Fifteen Upper Canadians went for abolition, Nine against it. The nine triumphed thro' Lower Canada injustice. The Wrights, Hincks, Patrick, Crawford, Prince! Robinson, Rose, Stevenson, were *elsewhere* when the vote was taken.

Judge Richards and his family are republican to the back bone—an American family—ultra liberal.—He hung to Baldwin for office, liking place better than principle. Hating the court of chancery as a reformer he loved it as a place hunter, and sold his

tongue and vote for the attorney-generalship, as a stepping stone to a sinecure judgeship and ultimately a pension. Many of his votes are corrupt to the very core. To veil his views, he exhibited, year after year, a big law reform bill, never intending to try to carry it. Eleven members, when Sullivan died, remonstrated against the useless filling of his place, and the open knavery of two superior common law courts and two chief justices in one town. Hincks, Richards, Rolph, Morris & Co. put us off, and governor and council made Richards a judge as the reward of his truckling subservience; and his whole connexion are dwindled down into place-holders and fat contract or office-seekers.

AFFORDING PRETEXT TO BORROW.

VOTE OF CONFIDENCE IN MINISTERS.

Government stuck into the Supply Bill of 1851, £10,000 for the Government House at Toronto, not intending to build one, but as a pretext for more borrowing in London. Last session such items as Asylums for blind, deaf, and dumb, Houses of Correction, &c., &c., to the amount of hundreds of thousands of dollars, were inserted, and no location for them assigned, nor plans exhibited. Some one of them might be started before election if it would bribe a place to vote in a dishonest member. The bill of Supply for 1853 was withheld till an hour or two before the session closed, when not half the members were present. [See Journals, page 1118.] It contained grants for sectarian schools—schools where the protestant bible or the catholic one, is denounced as base, bad, fraudulent, forged, &c.—grants of many thousands to the most useless purposes—salaries raised enormously and in bad faith (as for instance those of the two Speakers)—pensions to idle ladies, and other enormities—and to show that I had no confidence in the government I voted alone, a nay. The yeas were 35, and among them were

Hincks!	Langton!	Brown!
Morrison!	Cameron!	Merritt!
Malloch,	Prince,	Richards!
Willson,	Sherwood,	Lyon, &c.

Rolph and Christie did not vote. Only 37, out of 84 members, were present—the minority of a house which had declared itself, by a vote of 2 to 1, a gross imposition upon popular representation, was legislating in the absence of the majority—and the legislature were to adjourn in two hours for a twelvemonth.

All rules were set aside. Hincks introduced his supply bill; had it read once, twice, thrice, committed, reported on, engrossed in French and English—sent to the Lords—passed thro' all their mock forms—and assented to by Lord Elgin—the whole within the space of 3 or 4 hours!!! [See Jour. 1118, &c.]

On the vote to borrow hundreds of thousands of dollars in Europe at 6 per cent, with the Chest full here, and a dozen FUNDS lent out at interest or for nothing to spec tors, that day (see page 1119 of Journals), voted

Rolph!	Merritt!	Fergusson!
Christie!	Hincks!	Stevenson,
Langton,	Cameron!	Willson, &c.

SUPPLIES OF 1852.

The same trick of holding back the Supplies was played by the Hincks Rolph state jugglers in 1852.—They pretended that the session was but half a session—asked a vote of supply *en bloc*—waited till we were just ready to disperse—said they were afraid of the cholera—got Prince to order the House to the right about, and £180,000 were voted without enquiry [see Jour. p. 469] by

McNab,	Christie,	Morrison!
Prince,	Robinson,	A. Wright!
Hincks!	Langton,	G. Wright, &c.

☞ Rolph was just then ☜ *invisible.*

THE TAX ON SUGAR.

Hincks is the most keen and artful of tax masters. Not content with a tax on sugar of fifty dollars on every £100 value, he exacted the DOUBLE tax of 9 shillings in every 112 lbs. in addition to the $50. The Americans place a very small tax on foreign sugar, but it is to encourage their own Louisiana sugar planters. With an enormous surplus, and our officials treble paid, we of Canada had no need thus to tax a necessary of life.

Last session Brown moved (April 13, 1852, page 721 of Journals) to continue the $50 tax on Raw Sugar, but to reduce the 9s. tax per cwt. to 4s. 8d., or a half penny the lb. Lost! Among the Noes were

Street,	Hincks!	Hartman!
White!	Christie!	Robinson,
Patrick!	Morrison!	Crawford,
Cameron!	Ridout,	A. Wright!
Richards!	Dr. McDonald,	Mattice, &c.

Rolph was present at the previous vote, but (like me) *invisible* at this vote. I was at tea, and HE was sure of a majority. Yet we eventually got 3s. per cwt. of a deduction. It is said that the Americans complained of our cheap tariff, and that all is done that can be done to increase taxation.

SUNDAY LABOR.

June 6, 1853, the bill to stop all Sunday labor in post offices and on canals, by clerks, bookkeepers, &c., so that Sunday might be a day of rest, was called up, when Hincks, seconded by Morin, moved to kick it out without discussion. Brown moved a day for the second reading, and government got the worst of it, tho' among the votes to kick out the bill were

Rolph!	Morin,	Richards!
Cartier,	Hincks!	Sherwood,
Drummond,	Seymour,	McLachlin,
Stuart,	Tessier,	Dixon, &c.

The second reading came on June 8, and Morrison, McNab, Gamble, Johnson, Hartman, J. A. McDonald, and both Wrights, were invisible at voting time.

Rolph wheeled round in its favor. To kick it out voted Cartier, Sherwood, McLachlin, Morin, Young, &c. and they DID kick it out. Only two Upper Canada nays, yet lost, because only five Lower Canada ayes! Independent of the religious view, surely a day of rest in seven is a most benevolent idea. [See Jour. p. 1003 and 1035.]

GRAND TRUNK INIQUITY.

This is a dishonest scheme to withdraw the control of twelve millions of dollars to be borrowed in Britain (on security of every house and farm in Canada), from the country, and give it to a few crafty land jobbers, railway jobbers, privileged bankers, sharpers, &c.—as also to give other monies to their charge. It provides for an expenditure of 30 million dollars without any competition or division of the work into moderate contracts; it bought up our poor Speaker (McDonald) whose family gets 60 miles of it without competition; it enabled Hincks & Co. to speculate in Maine railway stock; it connects the executive with the company as the directors; it removes responsibility by allowing directors to neglect the duty; and pays double the price for 1000 miles of work, or £10,000 nearly for what thousands would be glad to do just as well for £5,000; also preparing the way for heavy embarrassment, when Galt, Holton, and other annexation chisselers will stand from under.

For the 3rd reading of the Grand Trunk bill voted only 28 members, in midst of cholera, (Nov. 2, 1852), among whom were

Rolph,	Richards,	Prince,
Robinson,	Crawford,	Cartier,
Ridout,	Drummond,	Stevenson,
Hincks,	Fergusson,	G. Wright,
Burnham,	Christie,	Morin,
Street,	Clapham,	Sicotte, &c.

This concern was originated, and very naturally, on the petition of the notorious ex-mayor Bowes, &c.—An attempt was made to press it on illegally, but frustrated; next Hincks moved to suspend rule requiring notice of consideration; and finally the House, 7 to 49 voted down Young's excellent motion [see p. 355 of Journals] to amend the bill so "*that it shall "bear on its face the character of the work to be executed upon the road, and the terms and conditions "upon which it shall be executed.*"

I voted nay because I had resolved to go against the whole measure, but how could Rolph! White! Burnham, Hincks! Christie! Clapham, Crawford, Drummond, Hartman! Morin! Murney, Patrick! Richards! Seymour, Terrill, Shaw, Smith of Durham, Street! Willson, Turcotte, and the TWO Wrights do so? They were for the measure. None of them are to be found among the nays at the third reading [page 373.] The company, if it is not, like the Huron and Ontario, a sham one, will suffer deeply.

£100,000 MISSING.

In 1843 or 1844, the British government sent a letter to the Parliament of Canada, that after paying the expence of the establishment, as annually shown by Postmaster Stayner's bills, the balance would be put back into the province chest. When the colony got the control of the post office there was a balance due the colony of £100,000, over and above Stayner's expenditures. I asked an account of it, and copy of any correspondence about it, but Hincks, Lafontaine, Cauchon, & Co. voted down all enquiry. Last session, with Rolph, &c. in office, I renewed my motion—simply for information where our money was—and the government—Rolph, Hincks, Morin, Ross, Morris (sly and sleek), Richards, &c. refused.—[Jour. p. 423.]

ELECT ALL THE COUNCIL!

The government scheme of last session was an elective council or senate, to be partly nominated by the Governor—partly elected—a portion of the present old and worn out councillors to remain—another section to be chosen from men holding £1000 in real estate—the elective system to be adopted only gradually. For the above, AND AGAINST A PROPOSAL TO ELECT ALL AT ONCE, voted (successfully)

Hincks!	Rolph!	Gamble,
Prince,	Cameron,	G. Wright,
Hartman,	Richards,	A. Wright.
Patrick,	White,	Ferguson, &c.

FOUR DOLLARS A DAY TO 30 LEGISLATIVE COUNCILLORS!

June 13, 1853—the day before the prorogation—$20,000 was moved to the Legislative Council to meet casual expenses, besides double pay to a whole host of useless officers, a heavy drag on the country. Yeas, Brown, Rolph, Robinson, Christie, Cameron, Merritt, Sherwood Fergusson, Burnham, Willson, &c. Carried.

The next move was to pay each councillor, from the Speaker, who gets other $3200 a year, down to the banker, who represents his own breeches pocket, Four dollars a day during session, also mileage money—to pay them thus for thwarting any good we may do—and to meet this outlay, $18,000 were asked, including double pay to placemen having seats there.

For four dollars a day to each councillor, whether otherwise overpaid or not, voted [See Jour. p. 1097]—

Rolph,	Amos Wright,	Christie,
Prince,	Hincks,	Cameron,
Cartier,	Drummond,	Fergusson,
Merritt,	Egan,	Richards,
Smith, dm.,	Rose,	Chabot, &c.

Invisible at voting time, Gamble, Hartman, G. Wright, &c. A close vote of 27 to 26. The Council costs the country $100,000 a year.

THE KILLALY BRIBE.

Mr. Killaly has been paid the regular salary ($2,500 or $3,500) attached to his office of assistant-commissioner, ever since he held it; but Hincks wanted him to play a part on the London boards, during the Grand Trunk rehearsal; and some say that at first Killaly hesitated. Be this as it may, a mock account for pretended labor due was passed in Council, nodded to by Lord Elgin, and offered to the Assembly as £719 17s. 3½d. to Killaly "for engineering services on the Welland Canal," Feb. 1851 to Dec. 1853, at $1000 a year.

When it came to the vote, the artful old dodger, Rolph, who had voted a few minutes before, and who voted again a few minutes thereafter, slipt off into the adjoining rooms. If cringing servility, an abandonment of principle, for which the country was convulsed, puffs about "princely stamina," and playing the decoy to independent editors and members whom he hopes to bring "under stipulations," deserve reward from a bad system, Rolph should be provided for.

The votes for the Killaly bribe (Jour. 1098 and '99) were

Hincks!	Richards!	Prince,
Cameron!	Fergusson!	Smith, Durham,
Morin,	Christie!	Willson,
Lyon,	Merritt!	McLachlin, &c.

Even Street and Robinson, bad as they are, could not swallow this vote; but poor Kill. got his bone and is off to London to play his part in puffing for his employers.

HINCKS'S PECULATIONS. THE £10,000.

One thing I liked exceedingly ill in the conduct of Rolph, Christie, White, Hartman, the Wrights, Smith of Durham, Cameron, Hincks, and indeed the whole House. It was this:

I had early in the session, proposed in committee some enquiry into expenditures and been met by Hincks with, "if you have any specific charges to make against any member of the government, a committee will at once be allowed to enquire into them."

It was privately known, I dare say, to three fourths of the Assembly that Hincks had used his position to pillage those who were short of cash, and bend legislation to his private ends, especially in the case of the £10,000 so disgracefully shared by him and Bowes, aided by McCord, the officious Chamberlain here, toward the close of that job.

Sherwood had urged me on. None, however, dared move in the matter. I plainly charged Hincks with deception in the £100,000 city bills—stated the facts, and that he and Bowes had the £10,000—that Ridout of the U. C. Bank, was in Quebec, and could be summoned—that the facts could and ought to be promptly got at—that it concerned the House to see that no knavery was practised—and I asked government to consent to a committee—but Morin said No, and when I placed my motion in the Speaker's hands not a member would second it!

Another night I tried enquiry—found a seconder in Hartman—but before it came to the vote he withdrew his motion, least Mr. Hincks might be offended by seeing the votes on the Journal. No fear of the present House uncloaking knavery—if the knaves have anything to bestow! Had I got a committee we could have had all the facts promptly, and the remedy in chancery would have been bettered by it—but among the 82 not one man wanted to appear desirous to look carefully into Hincks's peccadilloes. He had finance, banks, assembly, &c. at his finger ends. More's the pity!

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